

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

LENNY JIMENEZ-BELTRE

NO. 04-40011-FDS

GOVERNMENT'S SENTENCING MEMORANDUM

The United States of America, by its attorneys, Michael J. Sullivan, United States Attorney, and Paul G. Casey, Assistant United States Attorney, respectfully submits this Sentencing Memorandum regarding Defendant Lenny Jimenez-Beltre, who is scheduled to be sentenced on February 15, 2005. For the reasons provided below, the government recommends a sentence within the Guidelines Sentencing Range ("GSR") of 46-57 months.

1. **BACKGROUND**

On October 20, 2004, the defendant pleaded guilty to a one count indictment charging the defendant with unlawful re-entry of a deported alien, in violation of 8 U.S.C. § 1326(a). The defendant Lenny Jimenez-Beltre is a native and citizen of the Dominican Republic, born on September 17, 1974. The defendant was first encountered by INS officials at Bayamon, Puerto Rico as a result of the defendant's arrest by local police on a weapons law violation, a charge that was later dismissed. INS officials brought deportation proceedings against the defendant. On

February 4, 1998, an immigration judge granted voluntary departure to June 4, 1998, with an alternate order of removal to the Dominican Republic. The defendant was subsequently released on bond, but later failed to appear at the INS office as scheduled and the bond was breached.

On March 31, 2000, INS was notified that the defendant was being held in custody in Cambridge, MA on felony drug charges. The defendant initially used the name Hector Cintron-Rivera, but was later identified as Jimenez-Beltre through fingerprint analysis. On February 4, 2002, the defendant pleaded guilty to distribution/possess with intent to manufacture or distribute cocaine, in violation of M.G.L. c. 94C §32A(a) (Middlesex County case number 2000-819-001) and committing a controlled substance offense while in, on or within 1000 feet of school property in violation of M.G.L. c. 94C §32A(C) (Middlesex County case number 2000-819-002). A copy of the prior conviction is attached as Attachment A. The defendant was sentenced to 2½ years of imprisonment, 109 days to be served and deemed served with the balance suspended. On March 19, 2002, the defendant was deported to the Dominican Republic.

On October 1, 2003, Immigration and Customs Enforcement ("ICE," formerly known as INS), was notified by the Fitchburg Police Department that a person using the name Tony Perez was in custody on drug charges. Fingerprint analysis identified the

person as the defendant Jimenez-Beltre. On October 16, 2003, ICE Special Agent David Golden interviewed Jimenez-Beltre. After waiving his Miranda rights, the defendant identified himself as the same Jimenez-Beltre who was previously deported.

FBI obtained the fingerprints taken from the defendant during his arrest and confirmed that the defendant was the same Lenny Jimenez-Beltre who had previously been deported. A further review of the defendant's ICE and INS records confirmed that the defendant unlawfully reentered without having received the express consent to apply for readmission to the United States from either the Attorney General prior to March 1, 2003 or the consent of the Secretary of the Department of Homeland Security since March 1, 2003.

2. SENTENCING CALCULATION

a. Statutory Maximum Sentence

Count One carries a maximum penalty of twenty years of imprisonment.

b. The Court Should Considerable Weight to the Sentencing Guidelines Calculations and Impose a Sentence Within the Guideline Range as Determined by the Court.

In United States v. Booker, 2005 WL 50108 (U.S. Jan. 12, 2005), the Supreme Court held that the United States Sentencing Guidelines, as written, violate the Sixth Amendment principles articulated in Blakely v. Washington, 124 S. Ct. 2531 (2004). The Court determined that a mandatory system in which a sentence

is increased based on factual findings by a judge violates the right to trial by jury. As a remedy, the Court severed and excised the statutory provision making the Guidelines mandatory, 18 U.S.C. § 3553(b)(1), thus declaring the Guidelines "effectively advisory." Booker, 2005 WL 50108, at *16. This ruling results in a system in which the sentencing court, while informed by the Guidelines, may impose any sentence within the statutory maximum penalty for the offense of conviction. The sentence will be subject to review by the Court of Appeals for "reasonableness." Id. at *24.

In the wake of Booker, this Court first must make a correct calculation under the existing Sentencing Guidelines, and then consider the final guideline calculation when determining the sentence to be imposed. Justice Breyer's majority opinion directed that "[t]he district courts, while not bound to apply the Guidelines, must consult those Guidelines and take them into account when sentencing." Id. at *27.

The sentence in this case should fall within the advisory guideline range as determined by the Court. This view is shared by Congress and the Supreme Court. As every Supreme Court justice in the various opinions in Booker recognized, the Guidelines carry out the express national policy, as articulated by Congress, that sentences be uniform across the country to the extent possible and be based on the offender's actual conduct and

history. See, e.g., id. at *21 (majority opinion of Breyer, J.) ("Congress' basic goal in passing the Sentencing Act was to move the sentencing system in the direction of increased uniformity."); id. at *19 (same) ("Congress' basic statutory goal -- a system that diminishes sentencing disparity -- depends for its success upon judicial efforts to determine, and to base punishment upon, the *real conduct* that underlies the crime of conviction."); id. at *42 (dissenting opinion of Stevens, J.) ("The elimination of sentencing disparity, which Congress determined was chiefly the result of a discretionary sentencing regime, was unquestionably Congress' principal aim."); id. at *47 (dissenting opinion of Scalia, J.) ("the primary objective of the Act was to reduce sentencing disparity.").

The Guidelines, aiming to achieve the uniform and appropriate treatment of like crimes, represent the distillation of 15 years of careful study of sentencing practices across the country, and correlate as well to the varying severity of crimes as defined by Congress. The Guidelines, consisting of offense characteristics and various grounds for departure, address all of the considerations relevant to sentencing, as articulated in 18 U.S.C. § 3553(a), such as "the nature and circumstances of the offense and the history and characteristics of the defendant;" "the need for the sentence imposed -- (A) to reflect the seriousness of the offense, to promote respect for the law, and

to provide just punishment for the offense; (B) to afford adequate deterrence to criminal conduct; (C) to protect the public from further crimes of the defendant; and (D) to provide the defendant with needed educational or vocational training, medical care, or other correctional treatment in the most effective manner;" and "the need to avoid unwarranted sentence disparities among defendants with similar records who have been found guilty of similar conduct"

Thus, fidelity to the Guidelines best accomplishes the purpose of fair and consistent sentencing, and should occur absent unusual circumstances. The government commends to the Court's attention the scholarly opinion in United States v. Wilson, 2005 WL 78552 (D. Utah Jan. 13, 2005), which shared this conclusion. In his assessment in Wilson, on the day after Booker was decided, Judge Cassell explained at length the reasons supporting this view. As he stated, the Guidelines represent the product of an expert commission, which has studied the sentencing process at great length, under the specific mandate of Congress to fashion recommended sentences which carry out the purposes defined by Congress. The resulting Guidelines, Wilson held, plainly reflect the public's will, as expressed by their democratically elected representatives, in that Congress has repeatedly approved of the Guidelines or acted to adjust them to Congressional preference. Wilson further observed that guided

sentencing appears to have had a positive impact in deterring criminal conduct throughout the country, and thus serves the purpose of deterrence as well as punishment and fairness. For all of these reasons, Judge Cassell determined that "the court will give heavy weight to the Guidelines in determining an appropriate sentence. In the exercise of its discretion, the court will only depart from those Guidelines in unusual cases for clearly identified and persuasive reasons." Id. at *1.

Accordingly, a sentence within the guideline range is presumptively reasonable, and accommodates the Congressional purpose, affirmed by the Supreme Court, of obtaining fair sentences which are uniform to the extent possible. The government anticipates that only sentences outside the guideline range will be subject to appellate scrutiny for reasonableness in light of the Congressional mandate.

In this case, no unusual circumstances exist which warrant an exception to the preference for guideline sentencing. Therefore, the government respectfully recommends that the Court sentence the defendant within the Guidelines range calculated in the PSR.

c. Sentencing Guidelines Calculation

The government agrees with the Guidelines calculations contained in the final pre-sentence report ("PSR"), which result in a Guidelines Sentencing Range of 46-57 months of imprisonment.

i. Base Offense Level

Pursuant to USSG § 2L1.2(a), the defendant has a base offense level of 8.

ii. Specific Offense Level

Since defendant was previously deported after sustaining a conviction that is a drug trafficking offense for which the sentence exceeded thirteen months, the offense level should be increased 16 levels pursuant to USSG § 2L1.2(b)(1)(A)(i). Defendant has objected to this enhancement, arguing that since the prior conviction has not been alleged and proven beyond a reasonable doubt, the maximum penalty should not be increased. However, the defendant's argument fails in the face of a long line of federal cases, including Blakely, which supports using criminal history to increase the maximum penalty.

In United States v. Almedarez-Torres, 523 U.S. 224, 228-234 (1998), the United States Supreme Court held that the statutory subsection authorizing a sentence up to 20 years for alien who illegally returned after a conviction for an aggravated felony was a mere penalty provision and did not define a separate immigration related offense, and that an indictment did not have to allege an alien's prior aggravated felony as to a prerequisite to imposition for illegal reentry.

In Apprendi v. New Jersey, 530 U.S. 466, 490 (2000), the Supreme Court carved out an exception based on prior convictions

in holding, "other than the fact of a prior conviction, any fact that increases the penalty for a crime beyond the prescribed statutory maximum must be submitted to a jury and proved beyond a reasonable doubt." In discussing its analysis, the Court made clear that it was not overruling Almendarez-Torres. Id. at 487-490.

The First Circuit followed the Supreme Court's analysis in Apprendi and Almendarez-Torres in affirming the sentence imposed in an illegal reentry case. See United States v. Gomez-Estrada, 273 F.3d 400 (1st Cir 2001).

Blakely extended Apprendi's holding to the Washington State Sentencing Guidelines, and left intact the prior conviction exception previously observed in Almendarez-Torres. See Blakely, at 2536.

The First Circuit has continued to recognize the Supreme Court's prior conviction exception. See United States v. Cardoza-Estrada, 385 F.3d 56 (1st Cir. 2004).

The Supreme Court in Booker did not disturb Apprendi's prior conviction exception in holding, "Accordingly, we reaffirm our holding in Apprendi: Any fact (other than a prior conviction) which is necessary to support a sentence exceeding the maximum authorized by facts established by a plea of guilty or a jury verdict must be admitted by defendant or proved to a jury beyond a reasonable doubt." Booker, at *14. The defendant's argument is

simply without merit.

The government also understands that the defendant does not dispute that he is the same person who pleaded guilty on February 4, 2002 to distribution/possess with intent to manufacture or distribute cocaine, in violation of M.G.L. c. 94C §32A(a) (Middlesex County case number 2000-819-001) and committing a controlled substance offense while in, on or withing 1000 feet of school property in violation of M.G.L. c. 94C §32A(C) (Middlesex County case number 2000-819-002). The defendant might contend, however, that he recalls the charges being dismissed as part of a plea agreement. The defendant may be mistakenly referring to the cases noted in PSR ¶¶ 36-37 which were "nolle prossed" and not counted in the defendant's criminal history. As Exhibit A clearly reflects, however, the defendant pleaded guilty to among other charges, possession with intent to manufacture or distribute cocaine and possession with intent to manufacture or distribute cocaine within 100 feet of a school. These convictions qualify as drug trafficking offenses under USSG §2L1.2(b)(1)(A) and therefore should be counted.

iii. Acceptance of Responsibility

The government agrees that the defendant notified the government in a timely fashion of its intention to accept responsibility and therefore is entitled to a three-level reduction pursuant to §§3E1.1(a) and (b).

3. GOVERNMENT'S RECOMMENDATION

As set forth in the PSR, with an adjusted offense level of 21 and a criminal history category of III, the defendant falls within the sentencing range of 46-57 months. The government respectfully recommends that the Court impose a period of incarceration within this Guidelines range. Such a sentence would recognize the seriousness of defendant's offense conduct, the defendant's criminal recidivism.


The defendant was previously sentenced to a two and one half year sentence and a two year sentence on counts one and two of the conviction listed in PSR ¶ 27 and was previously deported. The defendant committed the instant offense within two years of his release and deportation. It is well settled in this Circuit that the mere fact that a person who commits a crime is subject to deportation is not a sufficient basis for a downward departure. United States v. Maldonado, 242 F.3d 1, 5 (1st Cir. 2001) ("In short, a deportable alien who commits a crime is still within the 'heartland' of the guidelines, absent something more"). Similarly, the mere fact that a person who commits a crime has stipulated to deportation is also not a mitigating circumstance present to a degree not contemplated by the Sentencing Commission (and thus sufficient for a downward departure). United States v. Clase-Espinal, 115 F.3d 1054, 1060 (1st Cir. 1997). As noted above, the Guidelines are the product

of 15 years of careful study of sentencing practices across the country, and correlate as well to the varying severity of crimes as defined by Congress. This common argument has been previously raised and rejected by the First Circuit. There simply are no unusual facts or circumstances that would justify a sentence below the GSR of 46-57 months.

For all of the above reasons, the government respectfully recommends that the Court impose a period of incarceration within the Guidelines range established by the PSR.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney



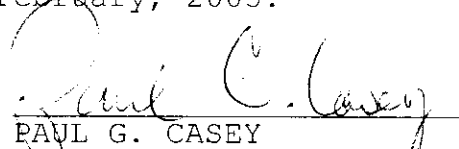
PAUL G. CASEY
Assistant United States Attorney

Date: February 8, 2005.

SS., WORCESTER

CERTIFICATE OF SERVICE

I, Paul G. Casey, Assistant U.S. Attorney, hereby certify that a copy of the foregoing was served by facsimile on counsel of record on this, the 8th day of February, 2005.



PAUL G. CASEY
Assistant U.S. Attorney

Distriction Cocaine
C. 94C, §32A (c) 2

2/12/05

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301 95

Commonwealth of Massachusetts

Middlesex, To Wit:

At the SUPERIOR COURT, begun and holden at the CITY OF CAMBRIDGE,

within and for the County of Middlesex, on the First Monday of June in the year of our Lord two thousand .

THE JURORS for the COMMONWEALTH OF MASSACHUSETTS on their oath present,

That **Hector Cintron Rivera, A.K.A. Victor Rivas**

on the Nineteenth day of October in the year of our Lord nineteen hundred and ninety-nine at Lowell, in the County of Middlesex aforesaid, did knowingly or intentionally manufacture, distribute, dispense or possess with intent to manufacture, distribute, or dispense a controlled substance as defined in clause (4) of paragraph (a) of Class B of Section Thirty-one of Massachusetts General Laws Chapter 94C, to wit: cocaine or any mixture containing cocaine in violation of section 32A (c) of Massachusetts General Laws Chapter 94C.

Against the peace of said Commonwealth, and contrary to the form of the statute in such case made and provided.

A true bill.

John F. Pilecki
Foreman of the Grand Jury.

Cheryl Walsh
Assistant District Attorney.

Superior Court

June, Sitting, 20 00

12TH day - Returned by the Grand Jury and filed in Court.

Richard J. McDermott
Assistant Clerk

ORIGINAL

ATTACHMENT "A"

2000 - 819 - 001

1200 AUG 14

Defendant is arraigned and pleads not guilty. (Graham)

Defendant is ordered to recognize in the sum of \$ 15,000 with surety or \$ 15,000 cash.

Arrest was issued not recognizing.

with WCEC

Defendant notified of his right to all examination pursuant to Chapter 111E, Section 10 of the General Laws as Amended.

The Defendant has been notified in Open Court that the Commission of a crime, while on bail may result in Revocation of Bail

MISDEMEANOR

Failure to appear may result in a fine of \$1,000 and/or one year in the House of Correction.

FELONY

Failure to appear may result in a fine of \$50,000 and/or 5 years in the State Prison or 2 1/2 years in the House of Correction.

cont to 9-14 PTC

lyndy reports

2002 February 7

PLEA RETRACTED AND PLEA GUILTY OFFERED AND ACCEPTED BY THE COURT COMMONWEALTH MOVES FOR SENTENCE. with C 94C 837A (2)

Sentence-House of Correction

2 1/2 years / 109 days to be served & dismissed served

Balance

Sentence suspended for one year 2002 Feb 4 Def. as Pr. and C 94C 837A as Su.

recog. in \$100.00, and on

probation, one year

discharged. John Collins Asst Clerk

advice received

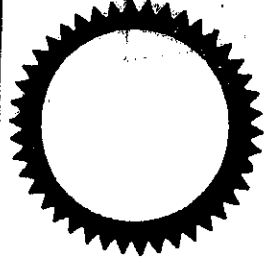
MIDDLESEX, ss.

Commonwealth of Massachusetts

SUPERIOR COURT DEPARTMENT OF THE TRIAL COURT

In testimony that the foregoing is a true copy on file and of record made by photographic process, I hereunto set my hand and affix the seal of said Superior Court this 6 day of

February 2003



Clerk

Schoc on Violation
C. 94C, §32J

Commonwealth of Massachusetts

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Middlesex, To Wit:

At the SUPERIOR COURT, begun and holden at the CITY OF CAMBRIDGE,
within and for the County of Middlesex, on the First Monday of June in the year of our Lord two thousand.

THE JURORS for the COMMONWEALTH OF MASSACHUSETTS on their oath present,

That **Hector Cintron Rivera, A.K.A. Victor Rivas**

on the Nineteenth day of October in the year of our Lord nineteen hundred and ninety-nine at Lowell, in the County of Middlesex aforesaid, did violate the provisions of section(s) 32A(C) of Chapter 94C of the Massachusetts General Laws while in or on, or within one thousand feet of the real property comprising a public or private elementary, vocational or secondary school whether or not in session.

Against the peace of said Commonwealth, and contrary to the form of the statute in such case made and provided.

A true bill.

Joan F. Pilch
Foreman of the Grand Jury.

Christ J. Walsh
Assistant District Attorney.

Superior Court

June, Sitting, 20 00

12th day - Returned by the Grand Jury and filed in Court.

William J. McGuire
Assistant Clerk

ORIGINAL

2000-819-002

2002 AUG 14

Defendant is arraigned and pleads not guilty. (Graham)

2002 February 14

PLEA RETRACTED AND PLEA GUILTY
OFFERED AND ACCEPTED BY THE COURT
COMMONWEALTH MOVES FOR SENTENCE.

Sentence-House of Correction

2 years

This sentence to take effect from and after the
expiration of the sentence imposed this day in #

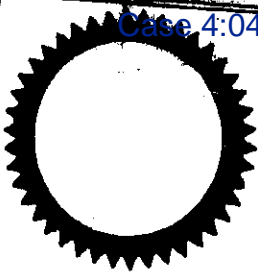
2000/819-001

By the Court
Sergeant J

PLESEEX, SS.

Commonwealth of Massachusetts
SUPERIOR COURT DEPARTMENT OF THE TRIAL COURT

In testimony that the foregoing is a true copy on file
and of record made by photographic process, I hereunto
set my hand and affix the seal of said Superior Court
this 6 day of



Clerk

2002 August 14
Sergeant J

MIDDLESEX SUPERIOR COURT

Case Summary

Criminal Docket

11/05/2003

09:52 AM

MICR2000-00819
Commonwealth v Rivera, Hector Cintron

File Date	06/28/2000	Status	Disposed (sentenced) (dsenimp)
Status Date	02/04/2002	Session	6 - Crim 6 (Lowell)
Jury Trial	Unknown	Origin	1 - Indictment
Lead Case			

Trial Deadline	08/14/2001	Deadline Status	Deadline active since return date	Status Date	08/14/2000
Weapon		Custody Status		Start Date	
Arraignment	08/14/2000	Substance		Prior Record	Unknown
		PTC Deadline	11/12/2000	Pro Se Defendant	No

OFFENSES				
Num	Offense	Code	Status	Status Date
1	10/19/1999	094C:032A:c	Guilty plea (lesser offense)	02/04/2002
	Class B substnc, phencyclidine/cocaine, distrib/manufac			
2	10/19/1999	094C:032J	Guilty plea	02/04/2002
	Controlled substnc, school property			
3	10/19/1999	090:024:2a.1	Filed (guilty plea)	02/04/2002
	Operate MV recklessly/negligently, endangerment			
4	10/19/1999	090:025	Filed (guilty plea)	02/04/2002
	Refuse to give name, liscense, reg, fail to stop MV for police officer			
5	10/19/1999	268:034A	Filed (guilty plea)	02/04/2002
	Furnishing false name or SS# to Law enforcement officer/official			

PARTIES	
Plaintiff Commonwealth Gender: Unknown Active 06/28/2000	Private Counsel 638368 Peter F Russell Mass Atty General's Office 200 Portland Street Boston, MA 02114 Phone: 617-727-2200 Fax: 617-727-5768 Inactive 09/20/2001 District Atty's Office 637901 Suzanne M Kontz Middlesex County District Atty's Office Sexual Assault Division 21 McGrath Highway Somerville, MA 02143 Phone: 617-591-7740 Fax: 617-629-0224 Active 09/20/2001 Notify

MICR2000-00819
Commonwealth v Rivera, Hector Cintron

Defendant

Hector Cintron Rivera
 Gender: Male
 Active 06/28/2000

Private Counsel 555491

J Daniel Silverman
 669 Main Street
 Wakefield, MA 01880
 Phone: 781-245-9019
 Fax: 781-246-0850
 Active 08/15/2000 Notify

Alias deft name

Victor Rivas
 Gender: Male
 Active 06/28/2000

ENTRIES

Date	Paper	Text
06/28/2000	1.0	Indictment returned
08/11/2000		Habeas corpus issued to Keeper Jail, Cambridge for 08/14/00
08/14/2000	2.0	Affidavit of indigency filed; approved (Charles Grabau, J.) P.O. Shawn
08/14/2000	3.0	Appointment of Counsel J Daniel Silverman
08/14/2000		Appearance of Commonwealth's Atty: Peter F Russell . Filed In Court
08/14/2000		Deft arraigned before Court Grabau, J.
08/14/2000		RE Offense 1:Plea of not guilty
08/14/2000		RE Offense 2:Plea of not guilty
08/14/2000		RE Offense 3:Plea of not guilty
08/14/2000		RE Offense 4:Plea of not guilty
08/14/2000		RE Offense 5:Plea of not guilty
08/14/2000		Bail set: \$15,000 cash (Grabau, J.)
08/14/2000		Deft notified of right to request drug exam
08/14/2000		Bail warning read in open Court
08/14/2000		Mittimus issued not recognizing
08/14/2000		Continued until 09/14/2000 PTC
08/14/2000		Reporter present: J. Lynch
08/17/2000	4.0	Mittimus not Recog.--Indictments returned with service
12/24/2001	5.0	Motion by Deft: For Statements Of Cooperating Individuals
12/24/2001	6.0	Motion by Deft: For Production Of Documentary Evidence
12/24/2001	7.0	Motion by Deft: For Leave To File Additional Discovery Requests And
12/24/2001	8.0	Further Motions After Receipt Of Discovery
12/24/2001	9.0	Motion by Deft: For Defendant's Statements
12/24/2001	10.0	Motion by Deft: For Production Of Physical Evidence
12/24/2001	11.0	Motion by Deft: For Exculpatory Evidence
12/24/2001	12.0	Motion by Deft: For Grand Jury Minutes
12/24/2001	13.0	Motion by Deft: To Inspect Grand Jury Exhibits
12/24/2001	14.0	Motion by Deft: For Production Of Witness Statements
12/24/2001		Motion by Deft: For Prior And Subsequent Bad Acts

MICR2000-00819
Commonwealth v Rivera, Hector Cintron

Date	Paper	Text
12/24/2001	15.0	Motion by Deft: For All Police Department Records
12/24/2001	16.0	Motion by Deft: To Be Furnished With Statements Of Promises, Rewards Or Inducements
02/04/2002	17.0	Deft files Waiver of Rights
02/04/2002		Plea of not guilty changed to guilty; accepted (Haggerty, J)
02/04/2002		RE Offense 1:Guilty plea (lesser offense) - under 94C:32A(a)
02/04/2002		RE Offense 2:Guilty plea
02/04/2002		RE Offense 3:Filed (guilty plea)
02/04/2002		RE Offense 4:Filed (guilty plea)
02/04/2002		RE Offense 5:Filed (guilty plea)
02/04/2002		Defendant sentenced- Offense 001: HOC Billerica 2 and one half years/ 109 days to be served and deemed served. Balance suspended for one year. Deft as Pr and K. Daly as su. recog. in \$100 and on one year probation. Offense 002: HOC Billerica 2 years. This sentence to take effect from end after the expiration of the sentence imposed this day in 001and deemed served (Haggerty, J)
02/04/2002		All Fees: waived
02/04/2002		Reporter present: Bea Cunha
02/04/2002		Abstract sent to RMV and criminal investigations

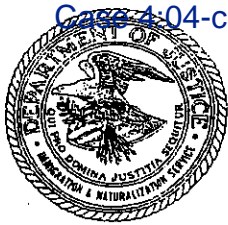
MIDDLESEX, ss.

Commonwealth of Massachusetts

SUPERIOR COURT DEPARTMENT OF THE TRIAL COURT

In testimony that the foregoing is a true copy on file
and of record made by photographic process, I hereunto
set my hand and affix the seal of said Superior Court
this 6 day of November 2003

Clerk



**U. S. Department of Homeland Security
Immigration and Customs Enforcement**

JFK Federal Building, Room 1725

Government Center

Boston, MA 02203

(617) 565 3100

Date: 10/31/03

Agent: Golden

A#: A76 682 755

Dear Sir or Madam:

Please furnish to the above I.C.E. address **COURT CERTIFIED** copies of ^{Indictment} ~~complaint~~, ~~conviction~~, sentence and any Direct Appeal to include docket entries in the case(s) of the below named individual:

NAME: _____ CINTRON, Hector (aka: Hector Rivera, Nemel Perez, Lenny Jimenez-Beltre)

DATE OF BIRTH: 9/12/64 (12/12/64, 9/17/74)

DOCKET #'S: 2000819001 and 2000819002

OTHER INFO: Please include Criminal Complaint

Please verify and include any direct appeal that has been filed from the verdict of guilty. Please check the appropriate box and sign.

_____ Direct Appeal filed from guilty verdict.

_____ No direct appeal filed from guilty verdict.

Clerk of Court : _____

Date : _____

Enclosed for your convenience is a self-addressed stamped envelope.
Thank you for your cooperation in this matter.

Sincerely,

David P. Riccio
Associate Special Agent in Charge, I.C.E.

RECEIVED
03 NOV - 5 AM 9:34
MIDDLESEX SUPERIOR COURT
EDWARD J. SULLIVAN
CLERK MAGISTRATE